

## APPROVED MINUTES

### JOINT MEETING of the STATE REVIEW BOARD and HISTORIC RESOURCES BOARD

**June 19, 2014, 9:00 a.m.**

**300 W. Washington Street, Middleburg, VA**

#### State Review Board Members Present

Dr. Laurant Lee, Vice-Chair  
Sara Bon-Harper  
Joseph D. Lahendro

#### Historic Resources Board Members Present

James Rich, Chairperson  
Robert Johnson, Vice-Chair  
William Garner  
Drew Gruber  
Terri Hauser  
H. Edward "Chip" Mann

#### Department of Historic Resources Staff Present

Julie Langan, Director  
David Edwards  
Melina Bezirdjian  
Michael Pulice  
Pam Schenian

Stephanie Williams, Deputy Director  
Joanie Evans  
Lena Sweeten McDonald  
Jennifer Pullen  
Marc Wagner

**Guests present** (from sign-in sheet) – Catherine Ayres (Attorney General's office); Jane Covington (Ashburn Historic District); Bill Inge (City of Norfolk); Lori Kimball (Loudoun County); Jack Lawlor (Ashburn Historic District); Susan McBride (City of Norfolk); Chase Milner (SVBF); Justin Patton (Prince William County); Marcus Pollard; Sara Powers (Attorney General's office); Kathleen Ribaud

#### Historic Resources Board (HRB)

Chair James Rich called the HRB meeting to order at 9:20 a.m. and welcomed everyone in attendance, and noted that today's meeting is his last as chair of the HRB. He explained the role of the HRB and asked each member to introduce themselves. He then presented the March 2014 meeting minutes. With a motion from Ms. Hauser and a second from Mr. Garner, the HRB voted unanimously to approve the minutes.

#### State Review Board (SRB)

Vice-Chair Laurant Lee called the SRB meeting to order and welcomed everyone in attendance. She explained the role of the SRB and the process of designation, and invited each board member to introduce themselves. She then presented the March 2014 meeting minutes. With a motion from Mr. Lahendro and a second from Ms. Bon-Harper, the SRB voted unanimously to approve the minutes.

#### Director's Report (DHR)

Director Langan welcomed Ms. Bon-Harper to the SRB and Mr. Gruber to the HRB, and announced that Carl Lounsberry and John Salmon will be joining the SRB in September. Lacey Ward has resigned from the HRB since the March 2014 meeting and his vacant position will be filled by appointment by the Governor. Director Langan introduced Deputy Director Stephanie Williams, and announced Mike Clem joined the easement program. Other staffing changes include that the highway marker coordinator position will be advertised shortly, and that Tax Credit staff member Suzanne Tripp is resigning and her position will be filled later this summer. NRPO architectural historian Joanie Evans will retire at the end of June 2014, and her position will be filled as soon as possible.

The state budget has been approved. The highway marker program funding was preserved. The budget also includes \$1 million for the Civil War sites preservation fund grant program. The budget abolished the Deputy Director position previously held by Catherine Slusser and the vacant Director of WRPO position.

DHR's heritage partnership, grant, and training programs continue as follows. The National Park Service is now exploring acquiring Werowocomoco as a national park unit. ABPP projects have included the recent battlefield preservation symposium held in late April/early May. DHR's project to cultivate friends groups for battlefields is still underway. A facilitator has been hired to manage a series of workshops across Virginia to garner support for battlefields lacking organized friends groups. Hurricane Sandy grant funds are in the process of being awarded. The first round of grant applications has been received and is being reviewed. DHR also can design and manage a project to be funded through the Hurricane Sandy grant. Cost Share grant applications will be made shortly. DHR hosted a field school on the Eastern Shore in May. A Register program workshop and tax credit workshop both are planned for August. DHR is in the midst of its comprehensive planning process, which is being led by Catherine Slusser and Stephanie Williams.

DHR's work plan will be presented to both boards at the September meeting. DHR is working on a grant application to the National Park Service for increasing under-represented groups in the National Register. Marc Wagner is representing DHR on a work group for the World War WI Centennial. Director Langan and Vice-Chair Lee will be participating in a War of 1812 symposium at Fort Monroe on June 20-21. Governor McAuliffe has set a goal of preserving Virginia's treasures that include historic properties, starting with the lower James River. Training for HRB and SRB members is planned for October 2014.

The next joint board meeting will take place in September 2014. A meeting venue is yet to be determined.

Director Langan concluded by thanking Chair Rich for his years of service on the HRB.

#### **Resolution**

HRB member William Garner read a resolution acknowledging retiring HRB Chair Rich's many years of service to the Commonwealth and his contributions to historic preservation. With a motion from Mr. Mann and a second from Ms. Hauser, the HRB unanimously approved the resolution.

#### ***Proposed Policy and Amendment to By-Laws - Participation in Meetings by Electronic Communication***

Director Langan introduced the proposed policy to allow electronic communication for board members to participate in meetings. Chair Rich asked the HRB members for comments. Several members had questions about how the policy would be implemented. Chair Rich asked for a motion to vote on the proposed policy by voice vote. The HRB members voted not to approve the policy.

Vice-Chair Lee asked the SRB members for comments. No members of the SRB had questions. Ms. Bon-Harper moved that the SRB approve the policy and Mr. Lahendro seconded. The SRB approved the policy unanimously.

#### **NOMINATIONS**

##### **Ms. Jane Covington presented the following nomination:**

1. \*\*Ashburn Historic District, Loudoun County, #053-0013, Criteria A and C

##### **Comments made:**

Chair Rich asked for comments from the public. Mr. John Lawlor spoke in opposition to the proposed historic district.

Chair Rich asked the HRB for questions about the nomination. Director Langan explained the public hearing and notification processes that took place. Ms. McDonald summarized letters of objection that have been received to date regarding the nomination. Ms. Hauser moved to table the nomination. Mr. Mann seconded the motion. The motion failed. Chair Rich asked for a voice vote regarding the proposed nomination. The HRB voted to approve the nomination 4 to 1.

Vice-Chair Lee asked the SRB for questions about the nomination. No questions were posed. With a motion from Mr. Lahendro and a second from Ms. Bon-Harper, the SRB voted unanimously to approve the nomination as presented.

##### **Mr. Bill Frazier presented the following nomination:**

1. \*\*Booker T. Washington High School, City of Staunton, #132-5011, Criteria A and C

##### **Comments made:**

Chair Rich asked for comments from the public. None were made.

Chair Rich asked the HRB for questions about the nomination. None were made. With a motion from Mr. Garner and a second from Mr. Gruber, the HRB voted unanimously to approve the nomination as presented.

Vice-Chair Lee asked the SRB for comments about the nominations. None were made. With a motion from Mr. Lahendro and a second from Ms. Bon-Harper, the SRB voted unanimously to approve the nomination as presented.

##### **Mr. Wagner presented the following nomination for the Capital Region:**

1. \*\*\*Pierce Street Historic District, City of Lynchburg #118-5238, Criterion A

##### **Comments made:**

Chair Rich asked for comments from the public. None were made.

Chair Rich asked the HRB for questions about the nomination. None were made. With a motion from Ms. Hauser and a second from Mr. Mann, the HRB voted unanimously to approve the nomination as presented.

Vice-Chair Lee asked the SRB for comments about the nominations. None were made. With a motion from Ms. Bon-Harper and a second from Mr. Lahendro, the SRB voted unanimously to approve the nomination as presented.

**Mr. Pulice presented the following nomination for the Western Region:**

1. Boones Mill Historic District, Town of Boones Mill, Franklin County, #170-0009, Criteria A and C
2. Prices Fork Historic District Boundary Increase, Montgomery County, #060-0224, Criterion C
3. G. W. Rader House, Botetourt County, #011-0058, Criterion C
4. Rural Retreat Depot, Town of Rural Retreat, Wythe County, #292-5001, Criteria A and C

**Comments made:**

Chair Rich asked for public comment for the Boones Mill Historic District. None were made. The HRB members discussed an opposition letter from the Norfolk Southern Corporation. Mr. Rich asked for voice vote to approve the nomination as presented. The HRB voted unanimously to approve the nomination.

Vice-Chair Lee asked the SRB for comments about the Boones Mill Historic District. Mr. Lahendro asked about the proposed relocation of the train depot. Mr. Lahendro moved to approve the nomination as presented. Ms. Bon-Harper seconded the motion. The SRB voted unanimously to approve the nomination.

Chair Rich asked for comments for the Prices Fork Historic District Boundary Increase. None were made. With a motion from Mr. Mann and a second from Ms. Hauser, the HRB voted unanimously to approve the nomination as presented.

Vice-Chair Lee asked the SRB for comments about the Prices Fork HD Boundary Increase. With a motion from Ms. Bon-Harper and a second from Mr. Lahendro, the SRB voted unanimously to approve the nomination.

Chair Rich asked for comments for the G. W. Rader House. None were made. With a motion from Mr. Mann and a second from Mr. Garner, the HRB voted unanimously to approve the nomination as presented.

Vice-Chair Lee asked the SRB for comments about the G. W. Rader House. None were made. With a motion from Mr. Lahendro and a second from Ms. Bon-Harper, the SRB voted unanimously to approve the nomination.

Chair Rich asked for comments for the Rural Retreat Depot. None were made. With a motion from Ms. Hauser and a second from Mr. Gruber, the HRB voted unanimously to approve the nomination as presented.

Vice-Chair Lee asked the SRB for comments about the Rural Retreat Depot. None were made. With a motion from Ms. Bon-Harper and a second from Ms. Lahendro, the SRB voted unanimously to approve the nomination.

**Ms. Schenian presented the following nominations for the Tidewater Region:**

1. Norfolk Auto Row Historic District, City of Norfolk, #122-5797, Criteria A and C
2. Williamston/Woodland Historic District, City of Norfolk, #122-5795, Criteria A and C

**Comments made:**

Chair Rich invited comments from the public. None were made.

Chair Rich asked the HRB for questions about the nominations. None were made. With a motion from Mr. Garner and a second from Ms. Hauser, the HRB voted unanimously to approve both nominations as presented.

Vice-Chair Lee asked the SRB for comments about the nominations. None were made. With a motion from Ms. Bon-Harper and a second from Mr. Lahendro, the SRB voted unanimously to approve the nominations as presented.

**The joint meeting adjourned at 11:25 a.m.**

## AFTERNOON SESSION

### HISTORIC RESOURCES BOARD

#### **Historic Resources Board Members Present**

James Rich, Chairperson  
William Garner  
Drew Gruber  
Terri Hauser  
H. Edward "Chip" Mann

#### **Department of Historic Resources Staff Present**

Julie Langan, Director  
Elizabeth Tune, Easement Program Manager  
Wendy Musumeci  
Joanna Wilson Green  
Megan Melinat  
Gillian Bearn  
Marc Wagner

#### **Guests:**

Catherine Ayres (Attorney General's office); Sara Powers (Attorney General's office)

Chair Rich called the meeting to order at 11:55 a.m.

#### **Revision of Regulations Concerning Burial Permits**

##### **Presentation of proposed revisions to Administrative Code 17VAC5-20 et seq. as required by Code of Virginia Section 10.1-2305 (Permit for archaeological excavation of human remains)**

Joanna Wilson Green, Archaeologist, presented proposed revisions to the burial permit regulations. Copies of the existing regulations with revisions tracked were provided to Board members in the Board packets prior to the meeting.

Ms. Wilson Green explained that these revisions were undertaken in response to changes made during the spring 2014 session of the General Assembly to those provisions of the Virginia Code concerning burial permits administered by the Department of Historic Resources. She also noted that the regulations have not been updated since the 1990s and were due for revision. She has worked with Catherine Slusser and the Office of the Attorney General on these revisions.

There were no questions by members of the Board. Ms. Wilson Green stated that the revisions would be reviewed by the Office of the Attorney General again and also by the Secretary of Natural Resources and the Governor's Office prior to formal promulgation and that Board approval was the preliminary step in the process.

A motion to approve as presented made by W. Garner and seconded by D. Gruber. The motion was approved unanimously.

#### **HIGHWAY MARKERS**

M. Wagner, Capitol Region Office, presented on behalf of J. Loux, Highway Marker Coordinator.

M. Wagner asked if there was anyone in the audience who would like to speak regarding any of the proposed markers. There was one representative for West End High School.

M. Wagner asked if the Board intended to vote on the projects as a group. J. Rich proposed voting in block for all of the projects listed on the agenda except for West End High School to allow the representative to speak. The motion was seconded by W. Garner. The motion carried by unanimous vote.

#### **Sponsor Markers/Diversity**

##### **1. West End High School**

**Sponsor: John Royster**

**Locality: Skipwith, Mecklenburg Co.**

**Proposed Location: Corner of SR698 and State Highway 49**

The representative spoke on behalf of Mr. John Royster, president of the Alumni Association of West End High School.

W. Garner made a motion to approve the marker as presented and was seconded by D. Gruber. The motion carried unanimously.

#### **Sponsor Markers/Diversity**

2. **Mabel Lee Walton and Sigma Sigma Sigma**  
**Sponsor:** Marcia Cutter  
**Locality:** Woodstock, Shenandoah Co  
**Proposed Location:** Corner of Main and Locust Streets

#### **Sponsor Markers**

1. **Joshua L. Chamberlain-Promoted “on the spot”**  
**Sponsor:** Dean Clegg  
**Locality:** Petersburg  
**Proposed Location:** Corner of East South Blvd and Warren Street
2. **Enderly**  
**Sponsor:** David Christopher Lewis  
**Locality:** City of Charlottesville  
**Proposed Location:** 603 Watson Avenue
3. **Founding of Kappa Alpha Order**  
**Sponsor:** Kappa Alpha Order and Kappa Alpha Order Educational Foundation  
**Locality:** Lexington  
**Proposed Location:** 416 W. Nelson Street
4. **The Old State Capitol**  
**Sponsor:** Randolph W. Wyckoff,  
**Locality:** City of Richmond  
**Proposed Location:** Corner of S. 14<sup>th</sup> and E. Cary Streets
5. **Fields of Fire**  
**Sponsor:** Hunter Mill Defense League  
**Locality:** Fairfax County  
**Proposed Location:** Intersection of Water Falls Lane and Hunter Mill Road

#### **TEA-Funded Marker (Diversity)**

1. **Joseph Jenkins Roberts**  
**Sponsor:** DHR  
**Locality:** Petersburg  
**Proposed Location:** Intersection of Wythe and Sycamore Streets

#### **Replacement Marker**

1. **Smithfield**  
**Sponsor:** Town of Smithfield  
**Locality:** Smithfield  
**Proposed Location:** South Church Street

#### **Comments Made:**

M. Wagner asked if there were any questions or comments for the markers listed on the Agenda as Sponsor Markers/Diversity #2, Sponsor Markers #1-5, TEA-Funded Marker #1, and Replacement Marker #1. The Board had no questions or comments.

W. Garner made a motion to approve all of the remaining markers listed on the Agenda as presented and was seconded by C. Mann. The motion was approved unanimously.

#### **EASEMENTS**

Ms. Musumeci presented the following items:

1. **Ashe Property, Buckland Mills Battlefield, Prince William County**  
**Property Owners:** Thomas J. Ashe, Jr. and E.A. Hollingsworth, Trustees  
**Acres:** 12.5

A motion to accept the offer as presented was made by C. Mann and seconded by W. Garner.

T. Hauser asked if the subdivision shown would be permitted under the easement. W. Musumeci explained that the grantors had been considering subdividing the property for residential development but have chosen instead to pursue an easement. The easement would not permit subdivision as shown on a preliminary plat.

**2. Thoroughgood House Open-Space Expansion Parcel, City of Virginia Beach**  
**Property Owner:** City of Virginia Beach  
**Acres:** 2.45

The topic is a proposed expansion of the existing easement to include contiguous acreage. The easement will include buffer for wetlands. The project involves VLCF funding.

D. Gruber made a motion to accept as presented and was seconded by T. Hauser.

J. Rich asked if anyone had any questions. D. Gruber asked if there would be an overlay to protect wetlands and water resources. W. Musumeci answered that the easement would require a vegetated buffer for water resources but there would not be an overlay.

The motion was approved unanimously.

J. Rich provided an explanation for new Board member D. Gruber that the Board reviews easement offers, not the actual texts of each deed of easement. Staff negotiates the actual terms with each grantor according to a template. This allows staff to bring a project back for reconsideration if the terms of the offer change significantly.

**3. Pearson Tract/R5 Farm, Rappahannock Station II Battlefield, Culpeper County**  
**Property Owner:** Norman C. Pearson  
**Acres:** 68

W. Musumeci stated that she would provide one battle action description for Battles of Rappahannock I and II which applied to this offer and the next offer.

This offer includes request for 1 building envelope of approximately 2 acres to include one new residential dwelling of approximately 2,500 sq. ft. and related outbuildings.

The partial gift/partial sale with grant funding comes from American Battlefield Protection program (ABPP) and Civil War Site Preservation Fund (CWSPF) grants.

D. Gruber asked what the ratio was of core area to study area. W. Musumeci responded that it is largely core with small study area.

T. Hauser made a motion to approve the offer as presented and was seconded by C. Mann. The motion was approved unanimously.

**4. Rector Tract, Rappahannock Station I and II Battlefields, Fauquier County**  
**Property Owner:** Thomas A. Rector, Under Contract to Civil War Trust  
**Acres:** 1.76

The Civil War Trust (CWT) has negotiated an option contract with 90-day holdover period for current owners after closing. CWT intends to transfer this property to a local government or regional authority for use as a park. Grant funding was sought from ABPP and CWSPF. Staff recommends approval based on Easement Acceptance Committee recommendation with the following conditions:

1. Non-historic building and associated improvements be removed within a timeframe established by Board.
2. Rehabilitation would be according to a written management plan incorporated directly or by reference into the deed of easement.
3. Any change to the deadline for rehabilitation must be negotiated in advance of deadline with DHR.

T. Hauser, D. Gruber and J. Rich asked for clarification regarding the non-historic building. W. Garner asked if rehabilitation of the landscape impacted the integrity of the property as a battlefield. W. Musumeci noted that a written management plan must be written into the easement and that any change to deadlines would require prior DHR approval.

W. Garner made a motion to accept the offer as presented with a 3-year timeframe from date of recordation to complete rehabilitation, and was seconded by D. Gruber. The motion was unanimously approved.

**5. Nestor Farm, Kelly's Ford, and Rappahannock Station II Battlefields, Culpeper County**  
**Property Owner:** Alice E. Nestor  
**Acres:** 43.28

The property owner has requested an allowance to retain existing non-historic residential dwelling and outbuildings or demolish existing residence and construct new residence in its footprint. The transaction is a partial gift/partial sale with ABPP grant funding.

J. Rich asked about the existing and proposed buildings. W. Musumeci responded that the building is sited in a location where it has no impact on the integrity of the property as a battlefield. G. Bearns responded that this is a primary residence for the grantor and it is possible to retain and continue using it as a residential dwelling without impairing integrity. Any new building would be subject to DHR's review and approval as to size, massing, design, etc..

T. Hauser made a motion to approve the offer as presented and was seconded by C. Mann. The motion was approved unanimously.

**6. Fairfield Views, Brandy Station Battlefield, Culpeper County**

**Property Owner:** Gregory Smith

**Acres:** 134

The grantor owns 223 acres but is offering only 134 acres for easement at this time. The offer would not allow for any subdivision of that 134 acres but would allow for one new residential dwelling with associated outbuildings. This is a partial gift/partial sale transaction with ABPP and CWSPF grant funding.

A motion to approve offer as presented was made by W. Garner and seconded by T. Hauser. The motion was approved unanimously.

**7. Yeates Tract, Second Manassas Battlefield, Prince William County**

**Property Owners:** Marvin D. and Jana W. Yeates, Under Contract to Civil War Trust

**Acres:** 2.58

The property includes non-historic buildings and improvements. This is an in-holding within the same subdivision adjacent to Manassas NPS Battlefield Park that CWT has been working to acquire. The property is under option contract with CWT with a two-year lease to current owners. Grant funding was sought from ABPP and CWSPF.

Staff recommends approval subject to the following conditions:

1. Terms of lease would be subject to prior review by DHR to ensure no conflict with the recorded easement.
2. Non-historic building and associated improvements would be removed within a timeframe established by Board.
3. Rehabilitation would be according to a written management plan incorporated directly or by reference into the deed of easement.
4. Any change to the deadline for rehabilitation must be negotiated in advance of deadline with DHR.

T. Hauser made a motion to accept the offer as presented except that the lease term cannot exceed two years and rehabilitation must be completed within 3 years of date of recordation of deed of easement. The motion was seconded by D. Gruber and approved unanimously.

**8. Cole Tract, Ream's Station I & II Battlefields, Dinwiddie County**

**Property Owner:** Brittany Baird Cole, Under Contract to Civil War Trust

**Acres:** 10.53

All buildings shown on the aerial have been removed. The property is under contract for purchase by CWT.

Grant funding was sought from ABPP and CWSPF.

C. Mann made a motion to accept the easement offer as presented and was seconded by D. Gruber. The motion was approved unanimously.

**9. Scheid Tract, White Oak Road Battlefield, Dinwiddie County**

**Property Owners:** William C. Scheid and Jon Webster M. Scheid, Under Contract to Civil War Trust

**Acres:** 4.61

The property includes one non-historic building. CWT has negotiated an option contract with 6-month holdover after closing for the current owner. CWT would like to lease the building for a short time to glean some value from it to offset the cost of demolition. Grant funding was sought from ABPP and CWSPF.

Staff, per Easement Acceptance Committee, recommends approval subject to the following conditions:

1. Terms of lease would be subject to prior review by DHR to ensure no conflict with the recorded easement.
2. Non-historic building and associated improvements would be removed within a timeframe established by Board.
3. Rehabilitation would be according to a written management plan incorporated directly or by reference into the deed of easement.

4. Any change to the deadline for rehabilitation must be negotiated in advance of deadline with DHR.

T. Hauser made a motion to accept the offer as presented with a 4-year allowance for removal/rehabilitation from date of recordation of the easement. The motion was seconded by W. Garner and unanimously approved.

**10. Bowie Tract, North Anna Battlefield, Caroline County**

**Property Owner:** Charles R. Bowie, Under Contract to Civil War Trust

**Acres:** 10.5

This is the site of a ford where a Union pontoon bridge was constructed and of the old Jericho Mill. It may be the site of a miller's house and associated outbuildings but additional research and possibly archaeological investigation are required to determine that. The property is under contract with CWT; CWT will be pursuing ABPP and CWSPF grants.

A motion to accept the offer as presented was made by C. Mann and seconded by W. Garner. The motion was unanimously approved.

**11. Budjinski Tract, Glendale Battlefield, Henrico County**

**Property Owner:** David A. Budjinski, Under Contract to Civil War Trust

**Acres:** 1.12

The property includes one non-historic house, associated outbuildings and in-ground pool, and adjoins Richmond NPS National Battlefield.

The property is under contract with CWT. CWT would like an option to lease the house for one short lease period of approximately 2-5 years. Grant funding was sought from ABPP and CWSPF.

Staff, per Easement Acceptance Committee, recommends approval subject to the following provision:

1. Terms of lease would be subject to prior review by DHR to ensure no conflict with the recorded easement.
2. Non-historic building and associated improvements would be removed within a timeframe established by Board.
3. Rehabilitation would be according to a written management plan incorporated directly or by reference into the deed of easement.
4. Any change to the deadline for rehabilitation must be negotiated in advance of deadline with DHR.

J. Rich made a motion to accept the offer as presented with a four-year allowance from the date of recordation to remove buildings/rehabilitate landscape.

T. Hauser made a second motion to accept the offer as presented with a three-year period for removal/rehabilitation. The motion was seconded by D. Gruber and was approved unanimously.

**12. Baird III Tract, Ream's Station Battlefield, Dinwiddie County**

**Property Owner:** Civil War Trust

**Acres:** 1.0

The property is owned by CWT and an offer was previously reviewed by the Easement Acceptance Committee. The property was formerly used as an automobile service and repair station. The Committee had concerns about environmental contamination. CWT has had all buildings and structures removed and both Phase I and Phase II environmental studies performed, the results of which were reported to the Department of Environmental Quality (DEQ). DEQ issued letters indicating that no further action was required. All underground storage tanks ("USTs") had been removed. CWT intends to restore the landscape and use for public interpretation.

W. Garner made a motion to accept the offer as presented. The motion was seconded by T. Hauser and approved unanimously.

W. Musumeci indicated that the next project presented would be Island Farm. J. Rich asked if the other matters listed on the Agenda could be addressed first.

**Easement Amendment for Consideration**

**1. Burlington, King William County (Assignment and Amendment)**

**Property Owners:** Virginia Outdoors Foundation; John Owen Gwathmey; Richard and Penny Kizer

Agenda amendment: W. Musumeci indicated that Burlington amendment was being removed from the Agenda.

J. Rich asked why this matter would not be considered. G. Bearns responded that the project has a long and convoluted legal history but that DHR recently learned of an overlay easement for wetlands banking held by The Nature Conservancy that affects some portion of the Board's easement property. However, because the plat attached to that overlay easement was oversized, she was unable to obtain a copy



to determine the actual area of impact. She stated that she had reached legal counsel at The Nature Conservancy yesterday and expected to receive a copy of the plat by early next week and the matter would be brought before the Board in September.

**Roadway Easement for Consideration:**

Ms. Musumeci presented the following item:

1. **Hanger Mill, Augusta County** (VDOT Roadway Easement)  
**Property Owner:** Robert L. Whitson  
**Acres:** 0.198

Agenda amendment: J. Rich requested that this matter be heard prior to Island Farm.

W. Musumeci explained the project proposed by VDOT and the conditions imposed by DHR through the roadway easement being granted to VDOT.

The conditions include:

1. VDOT is not permitted to construct any permanent or temporary buildings or structures within the roadway easement area.
2. The entire area shall be restored following construction, including re-seeding.
3. Any trees that are removed must be replaced with a tree of similar species and maintained for 1 year to ensure survival.
4. The existing rip-rap will be re-used to the extent possible and will be placed over any new rip-rap that is installed.
5. Existing fencing shall be replaced in kind.

The bridge design was provided by VDOT and will be a truss bridge similar to the current bridge. It will be a one-lane bridge but the lane will be wider than the existing bridge. The current width inhibits farm vehicles from using this road and they have to drive around. VDOT reported that there have been multiple accidents at this location and at least one death attributed to the existing bridge and its design. A small portion of the current bridge is located on the easement property and that as a result, staff required review of the new bridge design.

T. Hauser made a motion to approve the proposed roadway easement in favor of VDOT subject to the conditions outlined. C. Mann seconded that motion. The motion was approved unanimously.

**Easement for Reconsideration:**

Ms. Musumeci presented the following item:

1. **Island Farm, Cedar Creek Battlefield, Shenandoah County**  
**Property Owner:** Madison Development Associates, LLC and Sunlight Properties, LLC  
**Acres:** 174  
**Co-Held:** Shenandoah Valley Battlefields Foundation  
**Grant Funding:** Farm and Ranchland Protection Program, Virginia Land Conservation Foundation, Virginia Civil War Sites Preservation Fund

Two representatives of the Shenandoah Valley Battlefields Foundation ("SVBF") were present: J. Hutchinson and C. Milner. J. Rich asked that DHR Easement Program staff present first then allow Mr. Hutchinson and Mr. Milner to speak.

W. Musumeci itemized each of the items that had been presented at the March 20, 2014, Board meeting and described the proposed resolution of each. Extensive discussions followed regarding numerous aspects of the easement proposal.

T. Hauser made a motion to accept the offer subject to all of the conditions outlined by DHR staff and provided the Easement Acceptance Committee makes a recommendation of approval and that the Board would authorize J. Rich, as chair, to review the final deed of easement to ensure that it includes everything that the Board has required.

There was no second to the motion. The motion died.

C. Mann made a motion to reject the offer. His motion was seconded by W. Garner. Extensive discussions followed regarding the procedures to be followed for placing the property under easement.

J. Rich called for a vote on C. Mann's motion to reject the offer of Island Farm.

All in favor: C. Mann; J. Rich

All opposed: T. Hauser

Two abstentions: W. Garner; D. Gruber

W. Garner indicated that he was not abstaining but had not fully decided as of the vote being taken.

D. Gruber indicated that he was abstaining as he did not have the benefit of the March Board meeting to fully understand the project.

J. Rich asked W. Garner what his vote was.

W. Garner voted in favor of the motion.

J. Langan requested a roll call vote to confirm.

In favor of the motion to reject the offer of Island Farm, in order of vote: C. Mann; J. Rich; W. Garner

Opposed: T. Hauser

Abstaining: D. Gruber

J. Rich confirmed 3:1 in favor of the motion to deny the offer.

The meeting was adjourned for a ten-minute recess at 2:18 pm.

The meeting was reconvened at 2:30 pm.

J. Rich, W. Garner, C. Mann, T. Hauser and D. Gruber were all present when the meeting was reconvened.

#### **Projects Completed since the December 2013 HRB Meeting:**

Ms. Musumeci presented the following items:

1.     **Stagecoach at Buckland Tract, Buckland Mills Battlefield, Fauquier County**  
Date Recorded: 11/27/13  
Donor: Stagecoach at Buckland, LLC  
Acres: 3.6695  
Grant Funding: American Battlefield Protection Program
2.     **Holy Cross Abbey Tract, Cool Springs Battlefield, Clarke County**  
Date Recorded: 12/13/13  
Donor: Community of Cistercians of the Strict Observance, Incorporated  
Acres: 924.853  
Grant Funding: American Battlefield Protection Program, Virginia Civil War Sites Preservation Fund
3.     **Setti Farm, Rappahannock Station I & II Battlefields, Fauquier County**  
Date Recorded: 12/26/13  
Donor: Pierre Setti, Jr.  
Acres: 60.7159
4.     **Charles Link Trust Tracts, Wilderness & Chancellorsville Battlefields, Spotsylvania County**  
Date Recorded: 12/26/13  
Donor: Civil War Preservation Trust  
Acres: 81.653  
Grant Funding: American Battlefield Protection Program, Virginia Civil War Sites Preservation Fund
5.     **Johnson Farm, Rappahannock Station I & II, Kelly's Ford, and Brandy Station Battlefields, Culpeper County**  
Date Recorded: 12/27/13  
Donor: Carl C. Johnson and Kim B. Johnson  
Acres: 518.99  
Grant Funding: American Battlefield Protection Program, Virginia Civil War Sites Preservation Fund
6.     **Beechtree Farm, Rappahannock Station I & II Battlefields, Culpeper County**  
Date Recorded: 12/27/13  
Donor: James E. Craig, Jr.  
Acres: 51.4

Grant Funding: American Battlefield Protection Program

**7. Walthall Baptist Church Tract, Ware Bottom Church Battlefield, Chesterfield County**

Date Recorded: 02/20/14

Donor: Civil War Preservation Trust

Acres: 11.51

Grant Funding: American Battlefield Protection Program, Virginia Civil War Sites Preservation Fund

**8. Jackson House Tract, Ball's Bluff Battlefield, Loudoun County**

Date Recorded: 04/16/14

Donor: Civil War Preservation Trust

Acres: 3.22

Grant Funding: American Battlefield Protection Program, Virginia Civil War Sites Preservation Fund, Virginia Land Conservation Foundation

W. Musumeci provided a brief description of the 8 projects listed on the Agenda that have been completed and recorded since December 2013.

This update was not provided at the March 20, 2014, meeting due to time constraints.

**Closed Session:**

CLOSED SESSION FOR DISCUSSION AS PROVIDED FOR IN THE CODE OF VIRGINIA §2.2 – 3711(A)(7).

J. Rich stated that the Board would be going into closed session to discuss enforcement action with respect to a known violation at an easement property that had been documented by Easement Program staff. Mr. Rich stated that such closed session was pursuant to Section 2.2-3711(A)(7) of the Code of Virginia to discuss the appropriate enforcement action to be taken.

C. Mann made a motion to go into closed session for the purposes stated by J. Rich. The motion was seconded by T. Hauser. The motion was approved unanimously.

The Board went into closed session at 2:35 pm.

J. Rich, W. Garner, C. Mann, T. Hauser and D. Gruber, Board members, participated in the closed session.

J. Langan, Director; E. Tune, Easement Program Manager; G. Bearns, Easement Program Stewardship Counsel; and C. Ayres and S. Powers, Office of the Attorney General, participated in the closed session.

The Board came out of closed session at 3:05 pm.

J. Rich took a roll call certifying that to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under Chapter 2.2-37 of the Code of Virginia and only such public business matters as were identified in the motion to convene the closed session were heard, discussed or considered in the meeting of the Board. J. Rich stated that any member of the Board who believes that there was a departure from the requirements specified above shall so state prior to the vote indicating the substance of that departure that, in his judgment, took place. Such statement shall be recorded in the minutes of the Board.

J. Rich asked if there were any statements to be made prior to the vote. There were none.

In order, the roll call was:

W. Garner

C. Mann

D. Gruber

T. Hauser

J. Rich

C. Mann made a motion to adjourn which was seconded by W. Garner. The motion carried unanimously.

The meeting was adjourned at 3:10 pm.

## STATE REVIEW BOARD

Vice-Chair Lee called the meeting to order at 11:55 a.m. in the smaller meeting room at the Middleburg Community Center for discussion and consideration of the Preliminary Information Applications (informal guidance session).

### State Review Board Members Present

Dr. Laurant Lee, Vice-Chair  
Joseph D. Lahendro  
Sara Bon-Harper

### Department of Historic Resources Staff Present

David Edwards  
Joanie Evans  
Lena McDonald  
Michael Pulice  
Pam Schenian  
Melina Bezirdjian  
Marc Wagner

### Guests (from sign-in sheet)

Marcus Pollard (Downtown Hopewell HD Boundary Increase)  
Dave Brown (Hedgeman Rappahannock Historic District)

### Preliminary Information Applications

The following proposals were *endorsed*, unless otherwise noted, with the following comments:

**Tidewater Region.....presented by Pam Schenian**  
No PIFs to present.

**Western Region.....presented by Michael Pulice**  
**Belmont Historic District, City of Roanoke, #128-5191, Criteria A and C**

Mr. Lahendro asked about the boundaries for the district. Mr. Pulice explained the various ways this portion of southeast Roanoke had been evaluated in the past by DHR staff. Mr. Pulice noted that the proposed historic district retains a distinctive sense of community identity based on its history and that the architecture is clearly different from surrounding residential developments.

**Danville (Old West End) Historic District Grove Street Boundary Increase, City of Danville, #108-005, Criteria A and C**

Mr. Lahendro noted that the evolution of the historic district from the Millionaire's Row section to the proposed boundary increase area is striking. Mr. Pulice said Millionaire's Row is the historic district's spine, with more modest architecture extending to all sides. Vice-Chair Lee noted that demographic changes in the area should be discussed in the district nomination.

**Capital Region.....presented by Marc Wagner**  
**Downtown Hopewell Historic District 2014 Boundary Increase, City of Hopewell, #116-5031, Criteria A and C**

Mr. Wagner and Mr. Pollard explained their approach to delineating the proposed boundary increase. Mr. Lahendro said the district's evolution over time, especially the influence of automobile transportation and recovery from a major fire, should be discussed but tied back to the district's origins.

**Fry's Spring Beach Club, City of Charlottesville, #104-5075, Criteria A and C**

Mr. Lahendro advised that the caretaker's cottage and the machinery used to supply water to the pool should be discussed in a nomination for the property. Vice-Chair Lee and Mr. Lahendro both noted the property's connection with Civil Rights-era desegregation efforts, which also warrants discussion in the nomination.

**Jerman-Williams House, City of Richmond, #127-6736, Criterion C**

Mr. Lahendro noted the dwelling's simplicity of design, compared to other designs by the same architect. It is a striking contrast to the inclusion of a three-car garage with the dwelling, which was built during the Great Depression.

**Kenmore Farm, Amherst County, #005-0023, Criteria A and C**

Mr. Lahendro asked if diagrams of the floor plan before and after the alteration to the main stairs could be included with a nomination, as well as discussion of how room uses changed as a result. Additionally, the nomination should include the property's use as a school and how the outbuildings relate to the different historic uses.

**Kitty Foster Site, University of Virginia, City of Charlottesville, #104-5140, Criteria A and D**

Mr. Lahendro said the University of Virginia has created an African American Commission to explore ways to interpret African American history at the University since its establishment. Ms. Bon-Harper said that the property's significance in the areas of Commerce and Social History through Kitty Foster's activities should be noted in the nomination.

**Virginia Avenue Elementary School, City of Petersburg, #123-5476, Criteria A and C**

Mr. Lahendro advised that the stylistic differences between the interior and exterior of the building should be discussed in the nomination.

**Northern Region.....presented by Joanie Evans**

**Gilbert's Corner Gas Station & Store, Loudoun County, #053-0405, Criterion A**

Mr. Lahendro said a nomination should stress the reasons for the building's relocation being related to road transportation. Ms. Bon-Harper suggested adding Transportation as an area of significance would enhance the nomination.

**Hedgeman-Rappahannock River Rural Historic District, Fauquier, Stafford, and Culpeper counties, #030-5607, Criteria A, C, and D**

Mr. Lahendro asked if remnants of the canal are extant. Mr. Brown said yes. Mr. Lahendro asked if the development of the river and canal will be tied into the nomination, as well as the railroad. Mr. Brown said the railroad line is of secondary importance to that of the river. When asked about archaeological investigations, Mr. Brown said enough has been done to demonstrate the district's potential to yield significant information. Vice-Chair Lee asked if information about workers who built the canal would be included in a nomination. Mr. Brown agreed, but said only anecdotal information has been found thus far regarding immigrant worker populations. Mr. Lahendro asked if early 20<sup>th</sup> century resources were associated with improvements in road transportation, and Mr. Brown said that appeared to be the base for some hunt country estates.

**Shelbourne, King George County, #048-0056, Criteria B and C**

The SRB endorsed the PIF without comment.

**Vice-Chair Lee adjourned the SRB meeting at 1:50 p.m.**